(18)

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JASON AUGUST BERNARD,

Plaintiff

CIVIL ACTION

v.

MICHAEL J. ASTRUE,

Commissioner of the

Social Security Administration,

Defendant

No. 08-5918

ORDER

AND NOW, this 23rd day of Novella, 2009, upon consideration of Plaintiff's request for review, and Defendant's response, and after careful review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice, IT IS ORDERED that:

- 1. The Report and Recommendation is APPROVED and ADOPTED.
- 2. This matter is REMANDED to the Commissioner for review consistent with this report and recommendation.

BY THE COURT:

PAUL S. DIAMOND, J.

(mul 8)